

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
WEDNESDAY, FEBRUARY 4, 1987
7:30 P.M.

ROLL CALL Present: Council Members - Hinchman, Olson, Pinkerton, Snider and Reid (Mayor)

Absent: Council Members - None

Also Present: City Manager Peterson, Community Development Director Schroeder, Public Works Director Ronsko, City Attorney Stein, and City Clerk Reimche

INVOCATION The invocation was given by Reverend David S. Hill, Grace Presbyterian Church.

PLEDGE OF ALLEGIANCE The Pledge of Allegiance was led by Mayor Reid.

PRESENTATIONS There were no awards, proclamations or presentations given at this meeting.

REPORTS OF THE CITY MANAGER

CONSENT CALENDAR In accordance with report and recommendation of the City Manager, Council, on motion of Council Member Snider, Hinchman second, approved the following actions hereinafter set forth with the following exceptions:

CC-45(e) a) Agenda item "E" - "Adopt Resolution assessing cost of sidewalk construction, setting interest rate, and authorizing the filing of the assessment for installation of sidewalk at 840 South Stockton Street, Lodi" was removed from the agenda after City Manager Peterson reported that the property owners of 748 South Stockton Street and 840 South Stockton Street had reimbursed the City for the installation of sidewalks on the subject parcels as shown on Report of Cost dated January 8, 1987.

b) Council Member Snider abstained from voting on Agenda item "F" - "Approve Parkview Terrace Reorganization, including annexation to the City of Lodi and detachment from the Woodbridge Fire District, located on the northeast corner of Lower Sacramento Road and West Lodi Avenue".

* * * * *

CLAIMS CC-21(a) Claims were approved in the amount of \$1,704,450.44.

MINUTES The Minutes of January 7, 1987 were approved as written.

PLANS AND SPECS FOR WELL DRILLING, WELL 10R APPROVED Council approved the plans and specifications for Well Drilling, Well 10R, East Side of Central California Traction Line at Lime Street off of Guild Avenue, and authorized the advertising for bids thereon.

CC-12.1(c) Council was apprised that this project includes the drilling of replacement Well No. 10. Property acquisition is underway and will be completed before award of the contract.

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SPECS FOR PURCHASE
OF 15-KV XLPE CABLE
APPROVED

CC-12.1.(b)

Council approved the specifications for 15,000 feet of #2/0 aluminum 15-kv concentric neutral cable and authorized the advertisement for bids thereon.

The cable will be used throughout the city to serve developments currently being designed and to maintain an inventory for other needs as they develop.

PARKVIEW TERRACE
REORGANIZATION

RES. NO. 87-23

CC-8(a)

Council was apprised that the City was in receipt of the Local Agency Formation Commission of San Joaquin County - Resolution No. 695 - Resolution approving the Parkview Terrace Reorganization (LAFC 19-86) Including Annexation to the City of Lodi and Detachment from the Woodbridge Fire District. Under this Resolution, the City of Lodi was designated as the conducting authority and the City Council was authorized to complete proceedings for uninhabited reorganization without notice and hearing in accordance with Section 57002.b of the Government Code.

Council was reminded that, at the November 4, 1986 General Election, the electorate amended the Land Use Element of the General Plan by adding Parkview Terrace. This project is a 20 acre, 155 unit adult community at the northeast corner of West Lodi Avenue and Lower Sacramento Road.

Also, on October 15, 1986, Council adopted Ordinance No. 1393 rezoning Parkview Terrace to P-D, Planned Development District, to accommodate a cluster home development with recreational amenities.

Council adopted Resolution No. 87-23 approving Parkview Terrace Reorganization, including annexation to the City of Lodi and detachment from the Woodbridge Fire District.

Council Member Snider abstained from discussion and voting on the matter because of a possible conflict of interest.

MAGGIO
REORGANIZATION

RES. NO. 87-24

CC-8(a)

Council was apprised that the City has received Resolution No. 694 before the Local Agency Formation Commission of San Joaquin County - Resolution Approving the Maggio Reorganization (LAFC 18-86) Including Annexation to the City of Lodi and Detachment from the Woodbridge Fire District.

Because the subject parcel is located adjacent to the Southern Pacific Transportation right-of-way, it was determined by LAFCO that it would be more timely to authorize the City Council to initiate proceedings for uninhabited reorganization in accordance with Section 57000 et seq. of the Government Code which provides that, within 35 days following the adoption of the commission's resolution making determinations, the clerk of the conducting authority shall set the proposal for hearing and give notice of that hearing by mail, publication, and posting.

Council was reminded that, at the November 4, 1986 General Election, the electorate amended the Land Use Element of the General Plan by adding Maggio Industrial Park, a 37.6 acre industrial project located at the northwest corner of South Stockton Street and Harney Lane.

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On October 2, 1985, Council adopted Ordinance No. 1362 rezoning Maggio Industrial Park to M-2, Heavy Industrial.

Council adopted Resolution No. 87-24 setting a Public Hearing for 7:30 p.m., March 4, 1987 pursuant to Government Code Section 57000 et seq. to consider the Maggio Reorganization, including annexation to the City of Lodi and detachment from the Woodbridge Fire District. The Maggio Industrial Park is bounded by Salas Park on the north; South Stockton Street on the east; Harney Lane on the south; and the Southern Pacific Railroad right-of-way on the west.

INSTALLATION OF STOP
SIGNS APPROVED AT
EILERS LANE AND
LILAC STREET, AND
YIELD SIGN ON MURRAY
STREET AT CALAVERAS
STREET APPROVED

RES. NO. 87-25

Council adopted Resolution No. 87-25 approving the installation of multi-way stop signs at Eilers Lane and Lilac Street and a yield sign on Murray Street at Calaveras Street.

CC-48(h)

CC-48(i)

Council was apprised that both of these intersections have unusual characteristics. The major approaches at Eilers Lane/Lilac Street are the southbound and eastbound approaches. The existing stop sign is located on the westbound approach (minor approach). This intersection is not a normal "T" intersection due to the volumes. There have been no accidents in 1986 and 1985. Construction of this intersection was completed in the fall of 1985 and therefore, there are no previous accident records. Murray Street and Calaveras Street intersection has no controls and is treated similar to a "T" intersection. However, the design is more similar to a "Y" intersection. There has been one reported accident in 1986 and none in 1985 and 1984.

The intersections have not had an accident problem and they also do not meet the normal guidelines for installing yield and multi-way stop signs.

The Public Works Department has received many complaints regarding these intersections. Many drivers are confused by the unusual characteristics and do not know which approach has the right-of-way. Staff recommends installing the above listed controls to improve the right-of-way control.

LODI LAKE PARK
CONCESSION CONTRACT
CANCELLED

CC-22(a)

Council was apprised that the City of Lodi, following a public notice inviting bids, executed a contract with Four Gals Commissary to provide concession services at Lodi Lake Park on May 1, 1986. The Agreement has not been satisfactory for the City. The City is still owed monies (25% of the gross receipts) for the concession operation in August and September, 1986. Repeated efforts to collect these monies by the Parks and Recreation Director and the City Attorney have been unsuccessful. The concessionaire has been notified both orally and in writing that this action is to be considered by the City Council at the meeting of February 4, 1987.

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Council authorized the cancellation of the Lodi Lake Park concession contract and directed the staff to proceed with the advertisement for bids for a new concessionaire.

PUBLIC HEARINGS Notice thereof having been published and posted according to law, an affidavit of which publication and posting are on file in the office of the City Clerk, Mayor Reid called for the Public Hearing to consider the Resolution of Intention to vacate a portion of the public utility easement along the easterly right-of-way of Interlaken Drive.

EASEMENT VACATION
PORTION OF PUBLIC
UTILITY EASEMENT
ALONG THE EASTERLY
RIGHT-OF-WAY
OF INTERLAKEN
DRIVE

RES/ORDER 083-16 The matter was introduced by Public Works Director Ronsko who presented a diagram of the subject area and responded to questions as were posed by members of the Council.

CC-52(b)

There being no persons in the audience wishing to speak on the matter, the public portion of the hearing was closed.

On motion of Council Member Hinchman, Olson second, Council adopted Resolution/Order No. 083-16 vacating a portion of the public utility easement located at 900 and 906 Interlaken Drive, Lodi.

PLANNING COMMISSION City Manager Peterson presented the following Planning
REPORT Commission Report of the Planning Commission Meeting of January 26, 1987:

The Planning Commission -

ITEMS OF INTEREST 1. Determined that no public need existed and recommended that the City Council abandon the easterly 4.35 feet of a 15-foot public utility easement along the east side of Interlaken Drive, south of West Vine Street.

CC-35

The Planning Commission also -

1. Conditionally approved the request of Baumbach and Piazza, Consulting Engineers, on behalf of Bennett and Compton, Inc., to adjust the property lines between Lots 14 and 15, Noma Ranch, Unit No. 1, and ordered the Community Development Director to file a Certificate of Compliance on the project.
2. Determined that a Zoning Hardship did not exist and denied the request of Morris and Wenell, Architects and Planners, on behalf of St. Paul's American Lutheran Church for a Zoning Variance to reduce the required 30 foot front yard setback to 15 feet to permit additions to an existing church at 701 South Pleasant Avenue in an area zoned R-2, Single-Family Residential.
3. Determined that the pre-existing condition was the basis to approve the request of J. Jeffrey Kirst to vary the City of Lodi Parking Standards by reducing the parking stall length from 25 feet to 20 feet at 45 North Sacramento Street to permit the construction of a mini-storage building in an area zoned C-M, Commercial-Light Industrial.

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4. Took no action on a San Joaquin County General Plan referral which would redesignate the Del Rio Winery property in Woodbridge from Limited Industrial and Conservation to Low Density Residential, Medium Density Residential, Conservation, and/or Recreation.

COMMUNICATIONS
(CITY CLERK)

ABC LICENSE
APPLICATIONS

City Clerk Reinche presented the following applications for Alcoholic Beverage License which had been received:

CC-7(f)

- A) Round Table Pizza
1040 West Kettleman Lane, Suite 4,
Lodi
On Sale Beer and Wine Eating Place
Original License
- B) Rick's New York Style Pizza, Inc.
2525 South Hutchins Street, #10,
Lodi
On Sale Beer and Wine Eating Place
Original License

CLAIMS

CC-4(c)

On recommendation of the City Attorney and Leonard J. Russo, Inc., the City's Contract Administrator, Council, on motion of Council Member Hinchman, Olson second, denied the following claims and referred them back to the City's Contract Administrator:

- A) Jean Maraville, Date of Loss - 9/28/86
- B) Lola Rankin, Date of Loss - 11/15/86
- C) Luis Sandoval, Date of Loss - 5/11/86
- D) Paul Sharlow, Date of Loss - 11/03/86
- E) Refugio Solis, Date of Loss - 5/11/86

COMMENTS BY CITY
COUNCIL MEMBERS

SIDEWALK DEFICIENCY
ON LODI AVENUE
BETWEEN LOWER
SACRAMENTO ROAD
AND CHEROKEE LANE

CC-16
CC-45(e)

Mayor Reid referred to staff, citizen's concern expressed by Mayor Pro Tempore Olson, that sidewalk installations be mandated in the area of Lodi Avenue between Lower Sacramento Road and Cherokee Lane where presently no sidewalks exist.

DISCUSSION REGARDING
NEWSPAPER ARTICLE
CITING LODI GRAPE
FESTIVAL ELECTRIC
UTILITY CHARGES

CC-16
CC-51(d)

An article appeared in the Lodi News Sentinel February 4, 1987 pertaining to a rent hike at the Lodi Grape Festival grounds which has city merchants looking at alternate sites for future flea markets. In the article Graeme Stewart, Manager of the Lodi Grape Festival, was quoted as saying that their electricity bills have jumped from \$600 to \$1,400 a month. Following an inquiry by Council Member Snider, City Manager Peterson reported that information was not correct, in fact, utility bills in the aggregate for the festival were lower in 1986 than 1985.

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COMMENTS BY THE
PUBLIC ON NON
AGENDA ITEMS

There were no persons in the audience wishing to speak under this segment of the Agenda.

REPORTS OF THE
CITY MANAGER

REGULAR CALENDAR

CITY OF LODI
COMMUNITY DEVELOPMENT
DEPARTMENT TO COLLECT
SCHOOL IMPACTION FEES
AS MANDATED BY THE
STATE OF CALIFORNIA

RES. NO. 87-22

CC-6
CC-43

Council was informed by Community Development Director Schroeder that at the very end of the 1986 Legislative year both the Senate and Assembly passed legislation which requires local school districts to collect mandatory impaction fees if they are using State Bond funds for new construction. This legislation was passed with the very strong support of the Governor because he felt local school districts should be paying for a portion of new school construction.

Earlier this month the Trustees of the Lodi Unified School adopted the maximum fee which is \$1.50 per square foot for residential and \$.25 per square foot for commercial and industrial. The new fees are to be affective March 9, 1987. However, subdivisions with Final Maps or separate impaction agreements with LUSD before September 1, 1986 are exempted and these projects will pay the present district fee of \$200 per bedroom. It appears that all residential projects in Lodi are exempted and possibly some commercial and industrial projects with Final Maps.

As a convenience to contractors and other persons seeking building permits from the City of Lodi, it is the staff's recommendation that the Community Development Department collect all impaction fees on behalf of LUSD and charge the District a 3% fee to cover the City's cost. The County and the Cities of Stockton and Tracy have refused to collect the new fees because of the multiplicity of school districts in those jurisdictions. Manteca is refusing to collect the fees for reasons undetermined at this time.

Since (1) there is only a single school district in Lodi; (2) our Building Division must determine the square-footage of all construction projects to determine building permit costs; and (3) the City already collects impaction fees, it appears to be in everyone's best interest to have the Community Development Department collect the fees.

Ms. Mary Joan Starr, Facility Planner, Lodi Unified School District, addressed the Council concerning the matter formally requested on behalf of the Lodi Unified School District Governing Board, that the City of Lodi collect the requisite fees for them and transmit them to the district in the same manner as with the SB 201 fees. Ms. Starr further stated that the Governing Board understands that an administrative fee would be in order and that they are hopeful that, with the passage of new legislation, that can come from the proceeds.

Discussion followed with questions being directed to Staff and to Ms. Starr.

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On motion of Council Member Snider, Hinchman second, Council adopted Resolution No. 87-22 authorizing the City of Lodi Community Development Department to collect the School Impaction Fees as required by the State of California on behalf of the Lodi Unified School District and that the City retain 3% of said fees to cover administration costs.

The motion carried by unanimous vote.

ORDINANCE AMENDING
THE LODI MUNICIPAL
CODE BY ADDING A NEW
SECTION UNDER CHAPTER
5.04 - BUSINESS
LICENSES GENERALLY

ORD. NO. 1397
ADOPTED

CC-6
CC-21(a)

Ordinance No. 1397 - entitled, "An Ordinance of the Lodi City Council Amending the Lodi Municipal Code by Adding a New Section Under Chapter 5.04 - Business Licenses Generally", having been introduced at a regular meeting of the Lodi City Council held January 21, 1987, was brought up for passage on motion of Mayor Pro Tempore Olson, Snider second. Second reading of the Ordinance was omitted after reading by title, and the Ordinance was then adopted and ordered to print by the following vote:

Ayes: Council Members - Hinchman, Olson,
Pinkerton, Snider, and
Reid (Mayor)

Noes: Council Members - None

Absent: Council Members - None

Abstain: Council Members - None

ADJOURNMENT

There being no further business to come before the Council, Mayor Reid adjourned the meeting at approximately 8:10 p.m.

ATTEST:

Alice M. Reinche
Alice M. Reinche
City Clerk